UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,584	06/26/2001	Lorin Evan Ullmann	AUS920010284-US1	2109

7590 11/16/2005	EXAMINER
IBM CORPORATION	NGUYEN, DUSTIN
Anne Vachon Dougherty, Esq.	

ART UNIT	PAPER NUMBER
2154	

3173 Cedar Road
Yorktown Heights, NY   10598

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,10-15 and 17-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,10-15 and 17-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-7, 10-15 and 17-25 are presented for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 08/29/2005 has been entered.

Specification

3.   Examiner requests Applicants to update status of co-pending applications as mentioned in

specification pages 2 and 3.

4.   The disclosure is objected to because of the following informalities: spelling error in the

specification [i.e. "certaim" page 4, lines 12].

        Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 1-7, 10-15 and 17-25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dev et al. [US Patent No 5,504,921], in view of Chinta et al. [US Patent No 6,879,995].

7.   As per claim 1, Dev discloses the invention substantially as claimed including a method

for providing variable frequency logging of activities in a distributed computing system

comprising a plurality of computing locations having at least one message logger for monitoring

messages and for generating message logger output and a plurality of selectively-enabled trace

loggers capable of logging system activities from respective computing locations comprising the

steps of:

detecting an event trigger [i.e. detect common problems] [col 1, lines 55-57]

comprising a message level error indicative of an error at a computing location based on message

logger output [i.e. generating an alarm condition] [col 2, lines 60-63; and col 8, lines 1-10];

determining the computing location at which said error occurred [i.e. traverse location

and topology views to obtain alarm information] [col 13, lines 1-15; and col 14, lines 41-59];

responsive to the event trigger and the determined computer location, activating a

temporary logging function starting logging by a respective selectively-enabled trace logger for

logging system activities for at least said one computing location at which said error occurred so

that a source of said error can be determined [i.e. inference handlers initiate by triggers] [col 6,

lines 10-28; and col 15, lines 28-38];

logging system activities be the selectively-enabled trace logger [i.e. event log, statistic

log, alarm log] [Figure 10; and col 14, lines 41-59].

Dev does not specifically disclose

terminating logging of system activities based on detection of a stop event by selectively

disabling the selectively-enabled trace logger.

Chinta discloses terminating logging of system activities based on detection of a stop

event by selectively disabling the selectively-enabled trace logger [i.e. temporary disabling the

event log] [col 31, lines 39-55].

It would have been obvious to a person skill in the art at the time the invention was made

to combine the teaching of Dev and Chinta because Chinta's teaching of terminating logging

would allow to manage storage space and prevent logging of unnecessary data.

8.   As per claim 2, Dev discloses implementing filtering of said logging of system activities [

col 7, lines 36-47].

9.   As per claim 3, Dev discloses analyzing filtering of system activities to determine

corrective action [i.e. perform specified action] [col 10, lines 7-13].

10.   As per claim 4, Dev discloses altering the amount of logging done for system activities [

i.e. select severity of event to be displayed] [col 7, lines 49-53].

11.   As per claim 5, Dev discloses adjusting the frequency at which logging is done at an

affected location [col 6, lines 51-col 7, lines 2].

12.   As per claim 6, Dev discloses determining at least one subsystem affected by the event

and wherein said activating comprises starting logging at said at least one affected subsystem [

i.e. network device having fault is displayed] [Figure 10; and col 14, lines 41-59].

13.   As per claim 7, Dev discloses tracing from a location at which said event was detected to

identify at least one subsystem affected by said event and starting logging at said at least one

affected system [i.e. traverse views to obtain information] [col 13, lines 1-27; and col 14, lines

14-26].

14.   As per claim 10, Dev discloses the step of accessing at least one configuration database

for predefined temporary logging information [16, Figure 1; and col 3, lines 43-47].

15.   As per claim 11, Dev discloses accessing at least one configuration database to obtain

predefined temporary logging information for said subsystem [Figure 1; and col 7, lines 36-47

and lines 56-67].

16.   As per claims 12 and 13, they are rejected for similar reasons as stated above in claims 1-

3.

17.   As per claim 14, Dev does not specifically disclose a timer for terminating logging after a

preset time period. Chinta discloses a timer for terminating logging after a preset time period [

col 29, lines 26-42; and col 31; lines 44-54]. It would have been obvious to a person skill in the

art at the time the invention was made to combine the teaching of Dev and Chinta because

Chinta's teaching would allow to control the amount of logging information in a timely manner.

18.   As per claim 15, Chinta discloses a component for receiving user input of stop

notification [Figure 20; and col 37, lines 13-22].

19.   As per claims 17-19, they are rejected for similar reasons as stated above in claims 6 and

7.

20.   As per claim 20, it is rejected for similar reasons as stated above in claim 5.

21.   As per claim 21, it is rejected for similar reasons as stated above in claim 1.

22.   As per claim 22, Chinta discloses gradually adjusting said logging [i.e. adjust the event

logging criteria] [col9, lines 47-50].

23.   As per claim 23, Dev discloses dynamically setting a logging and tracing configuration

for the distributed computing system based on said detected event [i.e. models represent the

configuration and status of the network on a dynamic status] [col 6, lines 46-48; and col 7, lines

2-8].

24.   As per claim 24, it is rejected for similar reasons as stated above in claim 3.

25.   As per claim 25, it is rejected for similar reasons as stated above in claim 23.

26.   Applicant's arguments with respect to claims 1-7, 10-15 and 17-25 have been considered

but are moot in view of the new ground(s) of rejection.

27.   A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero)
days** from the mail date of this letter. Failure to respond within the period for response will
result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).
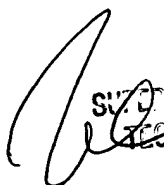
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is 571-272-3971. The

examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-3970.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen
Examiner
Art Unit 2154